



IN THE OFFICE OF THE UNITED STATES PATENT & TRADEMARK OFFICE

In re Application of: Fischell *et al.*

Serial No. 10/072,177

Group No. 1617

Filed: 02/11/2002

Examiner: Sharareh, S.

Entitled: **Devices And Methods For Reducing Scar Tissue Formation**

**RESPONSE TO RESTRICTION REQUIREMENT
MAILED SEPTEMBER 22, 2005**

Commissioner For Patents
PO Box 1450
Alexandria, VA

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8(a)(1)(i)(A)

I hereby certify that this correspondence (along with any referred to as being attached or enclosed) is, on the date shown below, being deposited with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: November 15, 2005

By

Traci E. Light


Please enter the following on the record in response to the above cited Restriction Requirement mailed on September 22, 2005. A Petition For A One Month Extension Of Time is attached hereto.

The Examiner has stated that the application, as filed, is subject to a restriction requirement and requires an election of one of five claim groupings. The Examiner has divided the claims of the pending application into five groups that "... are distinct, each from each other ..." *Office Action, pg 2 last ln.* Specifically, the Examiner suggests that Group I consists of Claims 1-4, Group II consists of Claims 5-8, Group III consists of Claims 9-12, Group IV consists of Claims 13-18, and Group V consists of Claims 19-22.

The Applicants elect, without traverse, to prosecute Group I and sirolimus as the species.

Should the Examiner believe that a telephone interview would aid in the prosecution of this application, the Applicant encourages the Examiner to call the undersigned collect at 617.984.0616.

Date: November 15, 2005

By: 
Thomas C. Howerton
Reg. No.: 48,650

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